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Attachment 2 - EEOC Complaint Form

CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY W  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
Austin DIVISION

Raymond C. Young

(Name of plaintiff or plaintiffs)

**A12CV1006**

**SS**

Civil Action Number:

v.

Ramming Paving Co.  
Summit Materials  
Austin Materials

(Name of defendant or defendants)

(Case Number to be supplied  
by the Intake Clerk)

**COMPLAINT**

1. This action is brought by Raymond Young Plaintiff, pursuant to the following selected jurisdiction:

(Please select the applicable jurisdiction)

- ☒ Title VII of the Civil Rights Act of 1964 (42 USC §§ 2000e et seq.) Employment Discrimination on the basis of race, color, sex (gender, pregnancy and sexual harassment), religion or national origin.
- ☐ The Age Discrimination in Employment Act (29 USC §§ 621 et seq.) (ADEA).
- ☐ The Americans With Disabilities Act (42 USC §§ 12102 et seq.) (ADA).
- ☐ The Equal Pay Act (29 USC § 206(d)) (EPA).
- ☐ The Rehabilitation Act of 1973 (29 USC § 791 et seq.) (Applicable to federal employees only).
2. Defendant Ramming Paving Co. - Summit Materials (name), lives at, or its business is located at Austin (city), TX (state), 78723 (zip).
- 3a. Plaintiff sought employment from the defendant or was employed by the defendant at Ramming Paving Co (street address), 16409 Bratton Ln (city), Austin (state), TX (zip). 78728

- 3b. At all relevant times of claim of discrimination, Defendant employed 500+ (#) employees. If defendant is a union, at all relevant times of claim of discrimination, Defendant had \_\_\_\_ (#) members.
4. Defendant discriminated against plaintiff in the manner indicated in paragraph 8 of this complaint on or about 04 (month) 30 (day) 2012 (year). If incidents of discrimination occurred more than one day, please indicate the beginning and ending dates of such acts: \_\_\_\_\_
5. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission (E.E.O.C.) charging defendant with the acts of discrimination indicated in paragraph 7 of this complaint on or about 04 (month) 30 (day) 2012 (year). (Not applicable to federal civil service employees).
- 6a. The E.E.O.C. issued a **Notice of Right to Sue** which was received by plaintiff on 08 (month) 21 (day) 2012 (year). (Not applicable to ADEA and EPA claims or federal civil service employees).

**VERY IMPORTANT NOTE:**

**PLEASE ATTACH A COPY OF YOUR NOTICE OF RIGHT TO SUE AND THE ENVELOPE IN WHICH IT WAS RECEIVED TO THIS COMPLAINT.**

- 6b. Please indicate below if the E.E.O.C issued a **Determination** in your case:

☐ Yes  
☒ No

**VERY IMPORTANT NOTE:**

**IF YOU CHECKED "YES", PLEASE ATTACH A COPY OF THE E.E.O.C.'S DETERMINATION TO THIS COMPLAINT**

7. Because of plaintiff's:

(Please select the applicable allegation(s))

- ☐ Race (If applicable, state race) African American
- ☐ Color (If applicable, state color) Dark Black
- ☐ Sex (gender, pregnancy or sexual harassment) (If applicable, state sex and claim) \_\_\_\_\_
- ☐ Religion (If applicable, state religion) \_\_\_\_\_
- ☐ National Origin (If applicable, state national origin) \_\_\_\_\_
- ☐ Age (If applicable, state date of birth) \_\_\_\_\_

☐ Disability (If applicable, state disability) \_\_\_\_\_

☒ Prior complaint of discrimination or opposition to acts of discrimination.  
(Retaliation) (If applicable, explain events of retaliation) On 4/30/12

I attempted to file a Harassment Complaint  
and was escorted out of Human Resources  
See Attachment (2-A)

The defendant: (please select all that apply)

☐ failed to employ plaintiff.

☐ terminated plaintiff's employment.

☐ failed to promote plaintiff.

☒ harassed plaintiff.

☐ other (specify) \_\_\_\_\_

8a. State **specifically** the circumstances under which defendant, its agent, or employees discriminated against plaintiff **PERSONALLY**:

**VERY IMPORTANT NOTE:** INCLUDE SPECIFIC DATES, SPECIFIC EVENTS,  
AND ANY SPECIFIC COMMENTS MADE BY  
DEFENDANT PERTAINING TO THE  
DISCRIMINATION CLAIM ALLEGED ABOVE.

On 4/30/12 while filing an harassment Complaint  
against a fellow employee, Mr. Rufus Vargas Robert  
my filing a Complaint under the threat of  
violence effectively denying me access to a  
protected right as an employee  
See Attachment (2-A)

8b. List any **witnesses** who would testify for plaintiff to support plaintiff's allegations and the substance of their testimony:

1) Jessica Clements - Human Resource Director, it was  
her office I was ran out of.  
2) Bob Nichols - He is the Hiring Man. who witnessed  
I gave a Statement which has never been found

8c. List any **documentation** that would support plaintiff's allegations and explain what the documents will prove:

1) Document (2-A) is the Statement I provided  
for the EEOC  
2) Document (2-B) was their first response

9. The above acts or omissions set forth in paragraphs 7 and 8 are:

- ☐ still being committed by defendant.  
☒ no longer being committed by defendant.

10. Plaintiff should attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission. This charge is submitted as a brief statement of the facts supporting this complaint.

WHEREFORE, plaintiff prays that the Court grant the following relief to the plaintiff:

- ☐ Defendant be directed to employ plaintiff.  
☐ Defendant be directed to re-employ plaintiff.  
☐ Defendant be directed to promote plaintiff.

☐ Defendant be directed to Compensate Plaintiff for time  
spent trying to get this matter resolved  
The company has offered to settle this  
matter for \$2000, dollars but the company  
want me to resign as per Mr. Jim Rammus  
@ (512) 251-3713. I Do not wish to  
resign from my job. and that the Court grant such  
 other relief as may be appropriate, including injunctive orders, damages, costs and attorney's  
 fees.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

10/30/12

Date

Ray C. Young  
 Signature of Plaintiff

2606 Wheeler Ln # 9202

Address of Plaintiff

Austin TX 78723

City State Zip Code

(512) 378-0111 or (512) 608-1691

Telephone Number(s)